

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *[Signature]* D.C.  
05 AUG 23 AM 6: 52

BARRY FIALA, INC.,

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN. MEMPHIS

Plaintiff and  
Counter-Defendant,

VS.

NO. 02-2282-Ma

ARTHUR BLANK & CO., INC.,

Defendant and  
Counter-Plaintiff,

VS.

MOORE NORTH AMERICA, INC.,

Third Party Defendant.

---

ORDER ON PENDING MOTION

---

On October 14, 2004, plaintiff filed a motion to continue the October 29 hearing on the motion for hearing on Fiala's motion to clarify. This case has been settled and an order of dismissal has been entered. The October 14, 2004, motion (D.E. No. 158) is moot.

It is so ORDERED this 22d day of August, 2005.

*JHD/mw*

---

SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE



# Notice of Distribution

This notice confirms a copy of the document docketed as number 181 in case 2:02-CV-02282 was distributed by fax, mail, or direct printing on August 29, 2005 to the parties listed.

---

Barry E Bretschneider  
MORRISON & FOERSTER, LLP  
2000 Pennsylvania Ave. N.W.  
Washington, DC 20006

Albert C. Harvey  
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL  
40 S. Main St.  
Ste. 2900  
Memphis, TN 38103--552

James L. Coggin  
MARTIN TATE MORROW & MARSTON  
22 North Front St.  
Suite 1100  
Memphis, TN 38103--118

Daniel J. Gleason  
NUTTER MCCLENNEN & FISH  
World Trade Center West  
155 Seaport Blvd  
Boston, MA 02210--260

Kenneth R. Berman  
NUTTER MCCLENNEN & FISH  
World Trade Center West  
155 Seaport Blvd  
Boston, MA 02210--260

Sara Margaret Falkingham  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

James D. Veltrop  
AXINN VELTROP & HARKRIDER LLP  
90 State House Square  
Hartford, CT 06103--370

Michael A Albert  
WOLF GREENFIELD & SACKS, P.C.  
600 Atlantic Ave.  
Boston, MA 02210--220

Matthew B Lowrie  
WOLF GREENFIELD & SACKS, P.C.  
600 Atlantic Ave.  
Boston, MA 02210--220

Richard M. Carter  
MARTIN TATE MORROW & MARSTON  
6410 Poplar Ave.  
Ste. 1000  
Memphis, TN 38119

Kemper B. Durand  
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL  
40 S. Main St.  
Ste. 2900  
Memphis, TN 38103--552

Lucian T. Pera  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103--246

Ronald E. Cahill  
NUTTER MCCLENNEN & FISH  
World Trade Center West  
155 Seaport Blvd.  
Boston, MA 02210--260

Russell H. Walker  
WALKER MCKENZIE & WALKER, P.C.  
6363 Poplar Avenue  
Ste. 434  
Memphis, TN 38119

Paul Howard Morris  
MARTIN TATE MORROW & MARSTON  
6410 Poplar Ave.  
Ste. 1000  
Memphis, TN 38119

Chad A. Landmon  
AXINN VELTROP & HARKRIDER LLP  
90 State House Square  
Hartford, CT 06103--370

Timothy R. Johnson  
BASS BERRY & SIMS PLC- Memphis  
100 Peabody Place  
Ste. 900  
Memphis, TN 38103

Honorable Samuel Mays  
US DISTRICT COURT